

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

# **EARL RAYMOND MILLION, #1170997**

VS.

DAWN E. GROUNDS, ET AL. §

**CIVIL ACTION NO. 5:14cv11**

## **ORDER OF PARTIAL DISMISSAL**

Plaintiff Earl Raymond Million, an inmate previously confined at the Telford Unit of the Texas prison system, proceeding *pro se*, filed the above-styled and numbered civil lawsuit. The complaint was referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation finding that the Defendants' motion for summary judgment limited to exhaustion of administrative remedies should be granted, in part, and denied, in part. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections raised by the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Report and Recommendation (docket entry #24) is **ADOPTED**. It is further

**ORDERED** that the Defendants' motion for summary judgment limited to exhaustion of administrative remedies (docket entry nos. 12 and 17) is **GRANTED**, in part, and **DENIED**, in part. It is further

**ORDERED** that the Plaintiff is permitted to proceed with his claim that he was injured when an overhead exhaust system collapsed on him while he was showering on March 7, 2012 against Defendants Neal, Choat, King and Grounds. It is further

**ORDERED** that all other claims, particularly the claims against Lt. Diane Moore, are **DISMISSED** with prejudice for failure to exhaust administrative remedies.

**It is SO ORDERED.**

**SIGNED** this 17th day of June, 2014.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE